



Department of Energy

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SEP 24 1997
DOE-1452-97

Mr. Paul Pardi
Ohio Environmental Protection Agency
401 East 5th Street
Dayton, Ohio 45402-2911

Dear Mr. Pardi:

**PROPOSED STRATEGY FOR ADDRESSING REVISIONS TO THE FERNALD ENVIRONMENTAL
MANAGEMENT PROJECT'S RESOURCE CONSERVATION AND RECOVERY ACT PART A/B
PERMIT APPLICATION**

Reference: Letter and Director's Final Findings and Orders from Thomas E. Crepeau to
Phil Hamric and John Bradburne dated June 6, 1996.

Enclosed, for your review and approval, is a proposed strategy for addressing revisions to the Fernald Environmental Management Project's Resource Conservation and Recovery Act (RCRA) Part A/B Permit Application. Section V.9 of the referenced June 1996 Director's Findings and Orders (DF&O) states that "the RCRA Part B permit application may be revised upon written approval of the Ohio EPA Division of Hazardous Waste Management." This proposal was discussed in the August 19, 1997, meeting with Phil Harris, of your staff. The strategy proposes to clarify the types of revisions to be addressed under this section of the DF&O while initiating the submittal of annual updates to ensure that the information contained in the permit application remains current.

If you have any questions, please contact Robert Danner at (513) 648-3167.

Sincerely,

FEMP:Danner

Glenn Danner
for Jack R. Craig
Director

Enclosure: As Stated

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cc w/enc:

N. Hallein, EM-42/CLOV
P. Harris, OEPA-Dayton
T. Schneider, OEPA-Dayton
T. J. Walsh, FDF/65-2
RCRA Operating Record/65-2
AR Coordinator/78

ENCLOSURE 1

**PROPOSED STRATEGY TO ADDRESS REVISIONS TO THE FERNALD ENVIRONMENTAL
MANAGEMENT PROJECT'S (FEMP) RCRA PART A/B PERMIT APPLICATION**

Section V.9 of the June 1996 Director's Findings and Orders (DF&O) states that "the RCRA "Part B" permit application may be revised upon written approval of the Ohio EPA Division of Hazardous Waste Management." The following strategy has been developed to clarify the types of revisions to be addressed under this section of the DF&O while proposing the submittal of annual updates to ensure that the information contained in the permit application remains current.

1. Annual updates to the RCRA Part B Permit Application will be submitted to address revisions resulting from CERCLA remedial actions (including integrated RCRA/CERCLA closures completed under the DF&O) or to reflect administrative changes to the information presented in the permit application (similar to administrative changes as defined in OAC 3745-50-51). These include the following examples:
 - A) Revisions to the Part A Hazardous Waste Management Unit (HWMU) table and maps and Section G - Contingency Plan to address the remediation/closure of FEMP HWMUs.
 - B) Revisions to the permit application resulting from the RCRA/CERCLA integrated closure of the seven active RCRA storage units.
 - C) Revisions to the list of environmental permits provided in the Part A.
 - D) Updates to general site information (particularly information provided in Section B - Facility Description).
 - E) Revisions to the Part A and Section C - Waste Characteristics to include new waste codes identified on-site (unless these wastes can not be managed under the conditions of the existing RCRA Part B Permit Application).
 - F) Changes to division/department names.
 - G) Changes to specific position descriptions provided in Section H - Personnel Training, Attachment H-2 as long as this information does not affect the type and amount of training received by personnel at the FEMP.

Due to constant changes in site conditions, numerous revisions to the Part B would be required to keep this information current without substantively impacting the manner in which the FEMP complies with hazardous waste requirements.

**PROPOSED STRATEGY TO ADDRESS REVISIONS
TO THE FERNALD ENVIRONMENTAL MANAGEMENT
PROJECT'S (FEMP) RCRA PART A/B PERMIT APPLICATION**

2. Proposed changes to the Part B Permit Application which would alter the facility or its hazardous waste operations or present a potential increased risk of hazard to public health or the environment (similar to changes classed as revisions or modifications under OAC 3745-50-51) will be submitted to Ohio EPA for approval in accordance with the DF&O or will require prior Ohio EPA approval with subsequent submittal of a revised RCRA Part B Permit Application. This does not include revisions to the permit application resulting from the remediation of HWMUs under the DF&O or which occur as a result of activities conducted under CERCLA which have already been reviewed by Ohio EPA. Examples of the types of revisions to the FEMP's RCRA Part B Permit Application which will require prior Ohio EPA approval include the following:
 - A) Increase in the maximum capacity of hazardous waste stored in a unit.
 - B) Changes in the type of waste stored in a unit if this presents an increased risk to public health or the environment.
 - C) Substantive changes to hazardous waste management practices described in the permit application (e.g. additional waste types accepted from off-site, changes in the frequency or content of inspections conducted of units actively storing hazardous waste)
3. In addition, the FEMP is proposing not to update several figures in Section B - Facility Description and to remove Figure B-7 and Section K - Other Environmental Laws from the RCRA Part B Permit Application. Justification for this proposal is provided as follows:
 - A) The figures provided in Section B - Facility Description will not require updating. The information provided in these sections quickly becomes dated due to constant changes in site conditions and/or is addressed in other CERCLA documents submitted to Ohio EPA. These include the following:

Figure B-2: Topographic Map of the FEMP - Sections A, B, and C
(overlaid over FEMP site map)

Figure B-3: Area Plot Plan with 100 Year Flood Plain - Sections A and B
(overlaid over FEMP site map)

Figure B-4: Surface Water and Well Location Map (addressed through the
Integrated Environmental Monitoring Plan (EMP))

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PROJECT'S (FEMP) RCRA PART A/B PERMIT APPLICATION**

Figure B-8 - In-Plant Traffic Control Signals/Signs and HWMU Primary Loading/Unloading Areas

Attachment B-1 - Underground Sewer Systems for the FEMP.

- B) Section B, Figure B-7 - Solid Waste Management Unit Location Map will be deleted. This information is no longer applicable since Section J - Corrective Action for Solid Waste Management Units (SWMUs) has been removed from the permit application. The FEMP is addressing RCRA corrective action requirements for SWMUs through the CERCLA process in accordance with the provisions of the Amended Consent Agreement.
- C) Section K - Other Environmental Laws will be removed from the permit application. The FEMP is already required to address compliance with these regulations as Applicable or Relevant and Appropriate Requirements (ARARs) to CERCLA remediation activities so that there is no value in retaining this section.